

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

RE: THE ALLOWABLE SUBJECT MATTER

The Examiner's allowance of claim 10 is respectfully acknowledged. Claim 10 has been amended to change "digital camera" to "image capture apparatus" as well as to make some additional minor revisions. No new matter has been added, and it is respectfully submitted that claim 10 continues to recite allowable subject matter.

RE: THE CLAIMS

Claim 1 has been amended to change "digital camera" to "image capture apparatus," to change "tag writer" to "electronic tag writer," and to delete some other unnecessary limitations.

Claim 3 has been amended to accord with claim 1 and to make some minor revisions.

New claim 13 has been added based on, for example, Fig. 6 and the corresponding disclosure in the specification at page 15, line 20, to page 16, line 10.

New claim 14 has been added based on, for example, Fig. 9 and the corresponding disclosure in the specification at page 22, line 3, to page 23, line 8.

New claim 15 has been added to recite a computer readable medium claim based on claim 1.

And new claim 16 has been added to recite a computer readable medium claim based on claim 14.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

RE: THE PRIOR ART REJECTION

Claims 1, 3, and 11 were rejected under 35 USC 103 as being obvious in view of the combination of US 2005/0103840 ("Boles"), USP 7,333,001 ("Lane et al"), and US 2003/0095032 ("Hoshino et al"). This rejection, however, is respectfully traversed with respect to the claims set forth above.

According to the present invention as recited in amended independent claim 1, an image capture apparatus is provided which comprises: (i) an image capture device which captures image data of an article; (ii) a display device which displays the image data of the article captured by the image capture device; (iii) an electronic tag reader which reads electronic tag information from an electronic tag, which is attached to the article, when the image capture device captures the image data of the article; (iv) a determining device which determines whether or not writing of the image data of the article captured by the image capture

device into the electronic tag is permitted based on the electronic tag information read by the electronic tag reader; and (v) an electronic tag writer which writes the image data of the article captured by the image capture device into the electronic tag when the determining device determines that the writing of the image data is permitted.

With this structure, it is possible to capture image data of an article by the image capture device, to read electronic tag information from an electronic tag which is attached to the article, and to write the image data of the article into the electronic tag. It is therefore possible to associate the captured image data of the article with the electronic tag information of the article simply by (from the user's perspective) performing only an ordinary capturing operation. As a result, the user can appropriately and strictly manage the image data and the electronic tag information of the article.

Boles discloses obtaining images of characteristic regions of a valuable V (such as a gemstone or larger object such as a painting), and outputting the images in digitized form to an inductive writer 6 which is arranged to store the images in a memory 8 of a miniature RFID tag 7. See paragraphs [0035], [0034], and [0040]-[0042]. According to this technique, the valuable V can subsequently be authenticated by electronically scanning for the digitized image information stored in the RFID

tag 7, retrieving and decrypting this information using the computer controlled reader/writer 6 (FIG. 1), and comparing the digitized images with freshly acquired images of the same characteristic regions (paragraphs [0040] and [0042]).

It is respectfully submitted however, that Boles fails to disclose or suggest an electronic tag reader which reads electronic tag information from an electronic tag which is attached to the article, when the image capture device captures the image data of the article. Boles discloses that images can be obtained and stored in a RFID tag (paragraph [0035]). Boles also discloses that the images can later be retrieved by reading the RFID tag (paragraph [0040]). And Boles discloses that these retrieved images can be visually compared with other images, to authenticate a valuable (paragraph [0040]). It is respectfully submitted, however, that Boles does not disclose or suggest an image capture apparatus which reads electronic tag information from an electronic tag which is attached to an article, when the image capture device of the apparatus captures image data of the article as according to the claimed present invention. The Examiner has cited paragraph [0042] of Boles with respect to this feature. However, this paragraph merely discloses retrieving old images of a valuable from a RFID tag by a tag reader writer, and comparing the old images with new images of the object. And this paragraph does not disclose an image capture apparatus which

performs image capturing and reading such that the reading is performed when the image capturing is performed.

On page 5, lines 5-8 of the Final Office Action, the Examiner appears to recognize that Boles does not disclose a determining device which determines whether or not writing of the image data of the article captured by the image capture device into the electronic tag is permitted based on the electronic tag information read by the electronic tag reader, and that an electronic tag writer writes the image data of the article captured by the image capture device into the electronic tag when the determining device determines that the writing of the image data is permitted. The Examiner has therefore cited Lane et al to supply these missing teachings of Boles.

It is respectfully submitted, however, that the portion of Lane et al quoted by the Examiner merely discloses that in an RFID circuit tag 4, "[t]he controller 4A may . . . access the security circuit 4F to authenticate the identity of the reader 10 and to determine if the reader 10 is authorized to request information from, or write information into, or otherwise direct the operation of the RFID tag 2" (column 15, lines 40-44). And it is respectfully pointed out that this disclosure relates to the RFID tag determining whether a reader is permitted to perform operations on the tag. By contrast, claim 1 recites that the image capture apparatus comprise a determining device which

determines whether or not writing of captured image data of an article into an electronic tag (attached to the article) is permitted based on the electronic tag information read from the electronic tag by the electronic tag reader. And it is respectfully submitted that Lane et al does not disclose or suggest these features of the determining device or electronic tag writer of claim 1.

Hoshino et al, moreover, has been cited with respect to subject matter no longer recited in claim 1.

Accordingly, it is respectfully submitted that even if the Boles, Lane et al and Hoshino et al were combinable in the manner suggested by the Examiner, the structure of the present invention as recited in amended independent claim 1 still would not be achieved or rendered obvious.

Still further, it is respectfully submitted that new independent claim 14 patentably distinguishes over the cited references for similar reasons, and it is respectfully submitted that new independent claims 15 and 16 corresponding to amended independent claim 1 and new independent claim 14 also patentably distinguish over the cited references.

In view of the foregoing, it is respectfully submitted that amended independent claim 1, new independent claims 14-16, and claim 3 depending from claim 1, all patentably distinguish over Boles, Lane et al and Hoshino et al, taken singly or in any

combination consistent with the respective fair teachings thereof, under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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